

**MINUTES OF THE REGULAR MEETING OF BOARD OF TRUSTEES
FOR RECLAMATION DISTRICT 1608
HELD TELEPHONICALLY ON WEDNESDAY, JANUARY 6, 2021**

A Regular Meeting of the Board of Trustees of Reclamation District 1608 was called to order telephonically at 8:00 a.m. by President Michael Panzer on Wednesday, January 6, 2021, via Toll-Free Dial-In Number: (877) 778-1806.

TRUSTEES PRESENT WERE:

MICHAEL PANZER
BRETT THOLBORN
DAN MacDONNELL (Joined meeting at beginning of item 3)

OTHERS PRESENT WERE:

DANIEL SCHROEDER
ANDY PINASCO
CHRIS NEUDECK
JOE BRYSON
ELVIA TRUJILLO
KRISTEN DYKE

1. **Public Comment.** President Panzer made a comment on the pest control notification and that he would be going to the County to renew the pest/vegetation control permit.
2. **Approval of Minutes.** Minutes of the regular meeting of December 2, 2020. The Trustees reviewed the minutes and,

Upon motion duly made, seconded (B. Tholborn/M. Panzer) and unanimously carried by the Board Trustees of Reclamation District 1608, the minutes of the December 2, 2020 regular meeting were approved as presented.

3. **Financial Report.** Review, discuss, and accept financial report. District Secretary, Elvia Trujillo, presented the financial report and mentioned the District is at 50% of the fiscal year. She informed the Board the financial report for this meeting includes Dixon Marine's Payment #6 in the amount of \$61,069.53. She also reported the District had received income from property taxes and assessments. Mrs. Trujillo requested a warrant in the amount of \$40,000.00 to replenish the District's bank account. After review,

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the Financial Report presented at the January 6, 2021 meeting be approved.

(a) Accept 2019-2020 Audit Report.

Attorney Dan Schroeder presented this item. He reminded the Board that at the last meeting, the draft 2019-2020 Audit Report prepared by Croce Sanguinetti & Vanderveen was presented for review and comment. There being no comments or changes, the agenda packet for this meeting contains the final 2019-2020 Audit Report that is unchanged from the draft reviewed at the last meeting.

Upon motion duly made, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Trustees of Reclamation District 1608, the final 2019-2020 Audit Report prepared by Croce Sanguinetti & Vanderveen was accepted as presented.

4. **Engineer's Report.** Request for directions and approvals.

(a) Sediment Removal Project. Request for directions and approvals.

i. Review general status of project.

Please see Engineer's Report, Section I.

(b) Consider new permit requests from homeowners.

1. 37830 Fourteen Mile Drive

Owners – Larry and Renata Mamaril

Permit – Pool permit for consideration

Please see Engineer's Report, Section II.

(c) Discussion and possible action to authorize Engineer to contract for tree removal at 3612 Fourteen Mile Drive.

Please see Engineer's Report, Section III.

From Engineer's Report:

I. SEDIMENT REMOVAL PROJECT

Excerpt from Engineer's report:

A. Presented in today's bills is Progress Payment No. 6 for the Sediment Removal Project. KSN, Inc. recommends the Trustees approve payment in the amount of \$61,069.53 to Dixon Marine Services, Inc. for work completed in December. Please note that his Pay Estimate includes Contract Change Order No. 2 which provides a \$25,798.41 credit back to the District for the final balancing of project qualities. The final adjusted contract amount is \$2,214,240.25.

B. There should be one final payment of \$110,712.01 for the release of retention anticipated for request at the February Board Meeting.

Engineer Chris Neudeck presented this item. He reported work has been completed on the Sediment Removal project. Progress Payment No. 6 to Dixon Marine is the final payment prior to the release of retention. This pay estimate includes a contract change order for the final balancing of project. It came slightly under what was estimated. The final adjusted contract amount is \$2,214,240.25. The final payment will be presented at the February Board meeting. Mr. Neudeck also said that payment to the Port of Stockton for the dredge material that was discharged at the Dredge Sediment Placement Site will be brought before the Board at the February meeting.

II. PLAN REVIEW

A. Permit Requests from Homeowners:

- (a) **3730 Fourteen Mile Drive**
Mr. & Mrs. Larry & Renata Mamaril
Index No. 36, Lot No. 409
APN 098-500-37

Review an application for a swimming pool.

EXHIBIT A: November 11, 2020 Encroachment Application for the swimming pool.

EXHIBIT B: December ____, 2020 Survey of lot with cross section through the lot including the pool profile.

EXHIBIT C: December 21, 2020 Google Earth aerial of the lot.

Mr. Neudeck presented this item. He informed the Board this item is being continued to the next Board meeting as they are going through the details of this application. The concern is the location of the pool due to the proximity to the levee toe. Mr. Neudeck said a survey is necessary to outline the exiting topography. He further stated that the pool in its current location is not likely to be approved and wants to make sure there are adequate setbacks. One possibility is to move the pool several feet away from the toe. Mr. Neudeck is looking at this closely and has postponed this item until the next Board meeting.

III. AB 360 DELTA LEVEE SUBVENTIONS PROGRAM

A. Review fallen tree at:

- (a) 3612 Fourteen Mile Drive
Mr. & Mrs. John & Daniela Burke
Index No. 42, Lot No. 415
APN 098-490-35

Review condition of levee and costs to remove a fallen tree on the waterside slope of the levee. Review with the Board of Trustees the alternative costs to remove and repair the levee along with seeking authority to proceed with the work.

Tree Removal:

- Dino & Son \$7,540 (not to exceed)
- Larry's Tree Service \$5,400

Levee Repair:

- Dino & Son \$10,420 (not to exceed)

EXHIBIT D: Email Correspondence from KSN Inc. dated December 18, 2020 reviewing the repair alternative and costs.

EXHIBIT E: Dino & Son repair quotes dated 12/17/2020.

EXHIBIT F: Photographs of fallen tree and levee damage.

Mr. Chris Neudeck presented this item. He informed the Board there was a fallen tree at John and Daniela Burke's property at 3612 Fourteen Mile Drive. The tree that fell was a large weeping willow that had been leaning towards water's edge. As a result from the fall, the root ball caused levee damage as seen in the photographs provided in Exhibit F. Since the tree is a private landowner tree, in accordance with the District's rules and regulations, it is the responsibility of the homeowner. Joe Bryson has spoken to the Burkes and their position is that it's not their responsibility. Attorney Andy Pinasco stated the tree is considered as vegetation, it is not a permitted encroachment and is governed by section 6 of the Encroachment Standards; therefore, maintenance of vegetation is the responsibility of the homeowners. Discussion followed regarding working with the property owners and requesting that the landowners remove the tree and repair the levee; the other option is for the District to remove the tree, repair the levee and bill the cost to the landowners. Any levee repair work will have to be in compliance and require the District Engineer's approval. Mr. Neudeck referenced Exhibit D and Exhibit E and stated the District received two proposals to remove the tree, one from Dino & Son at not to exceed \$7,540 and the other from Larry's Tree Service for a not to exceed amount of \$5,400. Dino & Son also provided an estimate for the levee repair at not to exceed \$10,420. Mr. Neudeck recommends using Larry's Tree Service at the lower rate. It was agreed that a letter is to be sent to the landowners regarding the work that needs to be done related to the tree removal and to the levee repair. Further discussion was held.

Upon motion duly made, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Trustees of Reclamation District 1608, the Board directs District staff to send correspondence to landowner demanding removal of the tree in accordance with the Levee Encroachment

Standards within 30 days of the letter; and if landowner fails to do so, it authorizes the District Engineer to remove and charge costs to landowner.

5. Annual District Emergency Plan Review.

Mr. Chris Neudeck presented this item. He went through the PowerPoint slides he provided for the meeting and reported that changes to the District's Emergency Plan are not presently being considered. The Plan continues to be consistent and there are no material changes. The concept of operation, organization, direction and communications stay the same and the flood contingency map does not have a need for updating. As to routine flood preparedness, Mr. Neudeck stated the District has a larger cash of supplies. The triggers have not changed and are somewhat latent as inspections are done in advance. This is all relatively well planned with staff, engineers and levee superintendent. Mr. Neudeck mentioned that Mr. Bryson is basically there before anything happens. As to the organization and assignment of responsibilities, everyone works cooperatively with the end decisions being made by the Board of Trustees. As to Direction and Control, the District operates under SIMS/NIMS, they are both State and Federal agencies and are recognized titles. Mr. Neudeck also reported his office has developed the Just in Time Training Program that can be done in person or virtually with units of training for various different tasks for the folks doing work for the District. The program serves to bring everyone together with consistent demarcations so that everyone is on the same page. Mr. Schroeder added that the Emergency Operation Plan can be found in the District's website.

6. Temporary Employee. Authorize District Official to Approve and Execute Agreement with Temporary Staffing Agency.

Attorney Andy Pinasco presented this item. Mr. Pinasco stated that the in the past months, Levee Superintendent Joe Bryson has had difficulty in finding temporary employees to assist him with work. In an effort to find help for Mr. Bryson, a temporary staffing agency is being considered. By using the temporary staffing agency, the individuals would be employees of the staffing agency and would be on an as needed basis. The staffing agency is in the process of providing an agreement which will need to be signed for them to provide temporary staffing. After discussion,

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board of Trustees of Reclamation District 1608 to approve and execute an agreement with the temporary staffing agency and authorize the District President to sign the agreement.

7. **Levee Superintendent Report.** Request for directions and approvals.

Mr. Bryson presented an oral and written report. He went through every item in his report and discussed further as necessary. He is still dealing with the persistent problem of cut fences and garbage being left by the homeless. Mr. Bryson also stated he is having difficulty in finding temporary workers.

8. **Newsletter.** Discussion and direction.

Attorney Andy Pinasco presented this item. A draft newsletter provided by Kristen Dyke from Port City Marketing was presented for review and comments. Editing suggestions were provided to Kristen Dyke to include in the final newsletter. President Panzer directed staff to review the letter and provide Kristen Dyke any other changes.

9. **Report by Trustees on meetings attended and upcoming meetings.** Request for direction.

None.

10. **Report and possible action on Progress of Tasks Assigned at Previous Board Meetings.**

None.

11. **Discussion and direction on Short-Term and Long-Range Goals.**

Under Short-Term Goals, Mr. Schroeder recommended leaving in Item No. 1 Sediment Removal Project.

Under Long-Term Goals, Mr. Neudeck stated it was time to start contemplating the format of next Prop 218 measure from the standpoint of existing services and to finalize the dredge sediment removal project. Discussion was held.

12. **District Calendar.** Discussion and direction.

a. Next meeting February 3, 2021

13. **Correspondence.**

Andy Pinasco reported the District received correspondence from the San Joaquin County Auditor's office. The District will be receiving more revenue due to a recent court decision. The additional amount is \$26.91 more than before.

14. **Approval of Bills.**

The list of Bills to be Paid presented at this meeting was reviewed. After further review,

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the List of Bills to be Paid presented at the January 6, 2021 meeting be approved.

15. **Staff Reports.** None.

(a) Attorney. The Agenda for this meeting was posted on the window outside the meeting room at 3121 West March Lane, Stockton, California, at least seventy-two (72) hours preceding the meeting.

16. **Adjournment.** The meeting adjourned at 9:21 a.m.

Respectfully submitted,



Elvia C. Trujillo
District Secretary

Reclamation District 1608
Bills to be Paid - January 6, 2021 Board Meeting

NAME	Date	INVOICE #	AMOUNT	TOTAL \$	WARRANT #	CHECK #	SUBVENTION FUND
Michael Panzer (01/06/2021 Regular Mtg)	1/6/2021	Trustee Fee	\$259.09				
				\$259.09	6422		
Brett Tholborn (01/06/2021 Regular Mtg)	1/6/2021	Trustee Fee	\$259.09				
				\$259.09	6423		
Dan MacDonnell (01/06/2021 Regular Mtg)	1/6/2021	Trustee Fee	\$259.09				
				\$259.09	6424		
Elvia Trujillo (December 2020)	1/6/2021	Secretary Fee	\$1,047.50				
				\$1,047.50	6425		
PG&E (Landview & Seagull)	12/30/2020	0950847867-5	\$21.60				
PG&E (Stone River)	12/21/2020	2999432760-8	\$11.14				
				\$32.74	6426		
Neumiller & Beardslee	12/17/2020	313753	\$2,462.90				
				\$2,462.90	6427		
Kjeldsen Sinnock & Neudeck	12/22/2020	29247	\$127.50				
	12/22/2020	29248	\$1,336.18				
	12/22/2020	29249	\$990.00				
	12/22/2020	29250	\$277.50				
	12/22/2020	29251	\$25,519.00				
	12/22/2020	21252	\$898.75				
	12/22/2020	21253	\$554.50				
				\$29,703.43	6428		
BPM	11/30/2020	38246075	\$1,100.00				
				\$1,100.00	6429		
Larry's Tree Care, Inc.	12/17/2020	2514	\$995.00				
				\$995.00	6430		

Reclamation District 1608
Bills to be Paid - January 6, 2021 Board Meeting

Reclamation District 1608	12/29/2020		\$40,000.00			
(Transfer to Bank Account)				\$40,000.00	6431	
Dixon Marine Services	12/18/2020	Progress Pay #6	\$61,069.53			
				\$61,069.53	6432	
State Lands Commission	12/22/2020	30218-B0919	\$91.75			
				\$91.75	6433	
Croce Sanguinetti & Vanderveen	12/31/2020	12347	\$4,325.00			
				\$4,325.00	6434	
Bank of Stockton Visa	12/21/2020	10/28/2020-11/26/2020	\$7,709.98	\$7,709.98		online
State of California Payroll Taxes	Dec-20	December Payroll	\$572.17	\$572.17		online
Federal Government Payroll Taxes	Dec-20	December Payroll	\$2,510.19	\$2,510.19		online
California State Disbursement Unit (ID 2000000018002538 Code 0600099)	12/26/2020	GB	\$185.62	\$185.62		1464
Gabriel Banks	Payroll	12/1/2020-12/15/2020	\$459.08	\$459.08		Direct Deposit
Hector B. Kendall	Payroll	12/1/2020-12/15/2020	\$1,027.68	\$1,027.68		Direct Deposit
Hector B. Kendall	Payroll	12/16/2020-12/31/2020	\$756.39	\$756.39		Direct Deposit
Joe L. Bryson	Payroll	12/1/2020-12/31/2020	\$4,679.79	\$4,679.79		Direct Deposit
		WARRANT TOTAL:		\$141,605.12		
		CHECKING TOTAL:		\$17,900.90		
		TOTAL BILLS PAID		\$159,506.02		